NATIONAL LIBRARY OF SCOTLAND 28 MAY 19[illegible]

6.260.(37)

ORDERS,

Set down by the Lord Provoſt, Bailiffs, and Council of *Edinburgh*, to be obſerved by the Conſtables thereof, in diſcharge of their Offices within this Burgh, and Liberties of the ſame.

IMprimis, the Conſtables being elected by the Provoſt, Bailiffs, and Council, ſhall be oblieged to accept the Charge and Office of Conſtabulary, under the pains of impriſonment of their perſons, and payment of an Un-law of ten pounds *Scots*, and to remain in Waird ay and while the ſame be payed: and under the pain of Horning. And for diſcharge of an honeſt duty in their Offices, being ſolemnly ſworn, in preſence of the Provoſt, Bailiffs, and Council of this Burgh, ſhall give the Oath following;

OATH.

THat they and ilk ane of them ſhall faithfully and truly diſcharge their Offices of Conſtabulary within the bounds committed to their charge, for the ſpace of twelve Moneths next after their admiſsion: And ſhall not for favour, reſpect, or fear of any perſon, forbear to do that which becometh them in their Office; And above all things, they ſhall regard the keeping and preſerving of the peace: And ſhall at every neceſſar occaſion come to the Provoſt and Bailiffs of this Burgh, or any one of them, and give a due and true information of any break or other inſolency againſt the Peace within the bounds of their commandment: And ſhall no wayes hide, cover, nor conceal the ſame, nor any probation or light that they can give for clearing and proving thereof: So help me God: And by God himſelf.

ITem, a Conſtable ſhall have liberty to take and apprehend any ſuſpected perſons, idle Vagabonds, or night Walkers, and impriſon them till they find ſurety for their behaviour, at the diſcretion of any of the Judges for Civils, or Criminals, or the Lord Provoſt and Bailiffs of this Burgh.

II. Item, a Conſtable ſhall have power to challenge any perſon within this Burgh, or Liberty thereof, that ſhall be found wearing Piſtolets, or Daggers, and ſhall preſent them before the Provoſt, Bailiffs, or any one of them, to be puniſhed by them for their fault, conform to the Act of Parliament.

III. Item, upon appearance of any fray, or ſtir within this Burgh, either by day or night, betwixt any parties, or any other ſudden accident that may fall forth, the Conſtable ſhall take unto him the aſſiſtance of his neighbors for ſeparating of the parties, and for order taking with any inconvenience that ſhall happen to enſue, and ſhall take the party or parties, and commit them in waird, or preſent them to the Provoſt or Bailiffs. Attour, if any harm ſhall happen to be done to the Conſtable, or any of his aſſiſtants, The Conſtable ſhall take them and put them in waird, and preſent them to the Provoſt and Bailiffs, or any of them to be accordingly puniſhed for their fault.

IV. Item, if any perſon or perſons make any plea or tumult within this Burgh, and flee to any houſe, the Conſtable ſhall have power to break up the doors thereof; and albeit the party or parties flee without the bounds of the Conſtables Charge, yet may the Conſtable follow and apprehend him or them in a freſh purſuit, and commit them to waird to be puniſhed for their fault.

V. Item, ilk Conſtable ſhall ſearch, and ſeek within the bounds committed to his charge, that no Jeſuits, Seminary Prieſts, nor trafficking Papiſts, haunt, uſe, or lodge, or be reſet therein, and if they can find or try any, to take and apprehend them and preſent them to the Provoſt and Bailiffs, to be tryed.

VI. Item, the Conſtable ſhall take and apprehend all Vagabonds, and ſturdy Beggers or Egyptians, and put them in waird to be puniſhed for their fault, according to the Act of Parliament.

VII. Item, the Conſtable ſhall take and apprehend all idle perſons, who have no calling to live by, and who will not take themſelves to ſome Labour, Trade, or Occupation, and ſhall preſent them before the Provoſt and Bailiffs, who after examination and tryal ſhall puniſh them according to their crime and demerit.

VIII. Item, the Conſtables being informed of any perſon guilty or culpable of ſlaughter, murther, theft, or any other capital crime whatſomever, ſhall then require his neighbours to aſſiſt him, for the ſafe apprehending and convoying of ſuch perſons before the Provoſt and Bailiffs, to be puniſhed for their fault.

IX. Item, the Conſtable ſhall ſearch and ſeek the bounds committed to his charge, and ſuffer no Vagabonds, Beggers, nor infamous perſons, to remain, dwell, or be reſet in his bounds, and if any be within his ſaids bounds, to ſhew the ſame to the Magiſtrats, that they may be puniſhed and removed forth of this Burgh.

X. Item, ilk Conſtable ſhall concur one with another, at all occaſions needful.

XI. Item, the whole Conſtables ſhall, upon every laſt Saturday of every Moneth, compear and preſent themſelves before the Provoſt and Bailiffs in the Council-houſe, to give an accompt of their diligence in their Offices, as they will anſwer upon their obedience.

XII. Item, ilk Conſtable ſhall cauſe the bounds committed to his charge, be keeped clean of all kind of Filth, Middings, and Swine, and to that effect for keeping of the Streets and Paſſages clean, ilk Conſtable ſhall have power in his own bounds, after tryal of any perſon or perſons caſting out Filth at their Doors, Windows, or Shots, either in the fore-gate, or back-ſides, or laying any Filth or Middings on the High-ſtreets, Cloſſes, or Paſſages, within this Burgh, to cauſe the perſon guilty to pay an unlaw of five pounds *toties quoties*, and to commit them in waird there to remain until the ſame be payed.

XIII. Item, ilk Conſtable within his bounds, ſhall take and apprehend all banners, ſwearers and blaſphemers of Gods Name, either in the Streets, Markets, or at the Wells, and to puniſh them either by warding, or putting of them in the Joggs or Stocks, according to the quality of their fault.

XIV. Item, if any perſon ſhall refuſe or delay to concur with the Conſtable in executing of his office, they ſhall be impriſoned and ſeverely puniſhed by command of the Provoſt and Bailiffs according to the quality of their offence.

XV. Item, the Conſtable ſhall be oblieged to receive the Injunctions, or Statutes that the Provoſt, or Bailiffs and Council injoyn to them at any time hereafter.

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